

More specifically, the Examiner incorporates his prior rejection that item 2 in Fig.1 in Hartmann is a liquid crystalline material having a chiral smectic phase and now contends that the chiral smectic phase is inherent to the display disclosed in Hartmann.<sup>2</sup> Applicant respectfully disagrees.

Hartmann clearly discloses that item 2 in Fig.1 is a ferro-electric liquid crystalline material. See e.g. Col. 4, lns. 4-5 of Hartmann. The ferro-electric liquid crystalline material in Hartmann is clearly different and distinguishable from “a chiral smectic C<sub>R</sub> phase” as recited in independent Claims 1-3 of the present application. Further, while the Examiner states that the chiral smectic phase is inherent to the display Hartmann teaches, Applicant respectfully submits that Hartmann fails to teach or suggest the chiral smectic phase or that such phase is inherent to the display disclosed in Hartmann. Therefore, Hartmann is not a proper reference for rejecting these claims.

Accordingly, for at least the above-stated reasons, independent Claims 1-3, and those claims dependent thereon, which recite having a chiral smectic phase, are not disclosed or suggested by Hartmann. Therefore, it is respectfully requested that this rejection be withdrawn.

#### Claim Rejections - 35 USC §103

##### Claims 7-9, 11, 14, 16, 20-22, 24, 25, 29-31, 33 and 34

The Examiner also rejects Claims 7-9, 11, 14, 16, 20-22, 24, 25, 29-31, 33 and 34 under 35 USC §103 as being unpatentable over Hartmann in view of Saishu. This rejection is also respectfully traversed.

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<sup>2</sup> Applicant notes that independent Claims 1-3 do not recite the limitation “being continuously switched according to an electric field applied thereto” as stated by the Examiner in the prior office action and incorporated by the Examiner in the Final Rejection.

Each of these claims is a dependent claim. Therefore, for at least the reasons discussed above for the independent claims, these dependent claims are also patentable over the cited references.

Accordingly, it is respectfully requested that this rejection be withdrawn.

#### Claims 6, 19 and 28

The Examiner also rejects Claims 6, 19 and 28 under 35 USC §103 as being unpatentable over Hartmann. This rejection is also respectfully traversed.

Each of these claims is a dependent claim. Therefore, for at least the reasons discussed above for the independent claims, these dependent claims are also patentable over the cited references.

Accordingly, it is respectfully requested that this rejection be withdrawn.

#### Claims 10, 23 and 32

The Examiner also rejects Claims 10, 23 and 32 under 35 USC §103 as being unpatentable over Hartmann in view of Verhuist. This rejection is also respectfully traversed.

Each of these claims is a dependent claim. Therefore, for at least the reasons discussed above for the independent claims, these dependent claims are also patentable over the cited references.

Accordingly, it is respectfully requested that this rejection be withdrawn.

#### Conclusion

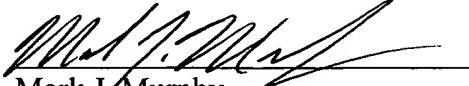
It is respectfully submitted that the present application is in a condition for allowance.

If any further fee should be due for this amendment, please charge our deposit account 50/1039.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,

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